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09/928,601	08/13/2001	Michael C. Morrison	SVL920010047US1	7508

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EXAMINER
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HAILU, TADESSE

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 04/07/2004

3

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/928,601

Applicant(s)

MORRISON C. MORRISON

Examiner

Tadesse Hailu

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

4. Claims 1, 2, 4, 9-15, 17, 22-28, 30, and 35-39 are rejected under 35 U.S.C. 102 (e) as being anticipated by Beezer et al (US 6,597,314).

Beezer is directed to a help system, wherein Beezer discloses a method, system and computer program product for providing user access to an electronic document, and providing access to setting controls in a system.

With regard to claim 1:

As illustrated in Fig. 3, and as described (column 4, lines 55-63) Beezer discloses a computer-implemented 200 method for presenting a series of titles 310 (help source file) of a document to a user.

As per the step of "maintaining a help", the method of Beezer includes presenting (maintaining) a set of help topics or series of titles to be selected by a user (column 4, lines 55-63);

As per the step of "receiving request", the method of Beezer includes receiving a signal corresponding to a user request for the help and settings control document (column 9, lines 16-17 of claim 2).

As per the step of "obtaining a help", the method of Beezer includes determining (obtaining) the target part of the help and settings control document based on a navigational history associated with the user (column 6, lines 46-56, column 9, lines 6-10 of claim 1);

As per the step of "displaying", the method of Beezer further includes displaying a configured (customized) display of the help and settings control document (help

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As per the step of “obtaining a help”, the method of Beezer includes determining (obtaining) the target part of the help and settings control document based on a navigational history associated with the user (column 6, lines 46-56, column 9, lines 6-10 of claim 1);

As per the step of “displaying”, the method of Beezer further includes displaying a configured (customized) display of the help and settings control document (help

source file) based on stored navigational history component **704** and user profile component **708** (column 7, lines 53-column 8, lines 22).

With regard to claim 2:

As per claim 2, Beezer discloses a computer program code stored within the help and settings control document (help source file) is configured to display the customized presentation of the help source file based on navigational history component **704** and user profile component **708** (column 7, lines 53-column 8, lines 22).

With regard to claim 4:

Beezer discloses a 'smart' navigational method to determine the accuracy of the predication of the target part of the help and settings control document. By monitoring the navigational history of the user the "smart" navigational system is configured to determine (distinguish) between the target part, section, or chapter within the help and settings control document selected or opened while user remains with the help document and a determination is made when user is not remain (outside of the help system) in the help and settings control document (column 7, lines 10-52).

With regard to claim 9:

Beezer discloses a frequency (specified time interval) of accessing or navigating of a target part, section, or chapter in the help and settings control document. Beezer also discloses a determining of how long the user remains in the help and settings control document (column 7, lines 27-52).

With regard to claim 10:

Beezer discloses the 'smart' navigational features are provided for predicting a part, section or chapter (location) of the help and settings document that is sought by a user based on navigational history and user profiles (abstract, column 7, lines 10-33).

With regard to claim 11:

Beezer discloses the smart navigational aspect (presentation) provides for configured to select particular part, section or chapter (an amount of material) of help and settings control document, wherein Beezer also discloses a display component which retrieves the appropriate page of the help and settings control document from memory and display it on display (column 7, lines 53-column 8, lines 13).

With regard to claim 12:

Beezer discloses a navigational history component that provides storage for information representing a user's navigation record. Beezer also discloses a user's profile component 708 that contains information (amount of information) representing user preferences, for example, user experience levels with the particular reading application (information displayed) and with the help and settings control document (column 8, lines 13-22).

With regard to claim 13:

Beezer discloses a target (type of material) selection component that may be configured (customized) to select a particular section, section or chapter of help and settings control document (column 8, lines 7-13).

With regard to claims 14, 15, 17 and 22-26:

Beezer is also directed and discloses a computer-implemented help system reciting all the limitations of these claims in system form (e.g., see Beezer, claim 1). Thus, since these claims correspond generally to method claims 1, 2, 4, 9-13, respectively, and recite similar features in system form, and therefore are rejected under the same rationale.

With regard to claims 27, 28, 30 and 35-39:

Beezer is also directed and discloses a computer-readable medium having stored thereon computer-executable instructions for performing a method of providing a user access to help and settings control document (e.g., see Beezer, claim 5). Thus, since these claims correspond generally to method claims 1, 2, 4, 9-13, respectively, and recite similar features in storage form, and therefore are rejected under the same rationale.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3, 5-8, 16, 18-21, 29, and 31-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beezer et al (US Pat No 6,597,314) in view of Lim et al (US 6,434,619).

With regard to claims 3, 16 and 29:

While Beezer describes computer-executable instructions, data structures, program modules and other data executed by a personal computer (column 2, lines 55-61), but Beezer fails to disclose that the computer-executable instructions or computer program code is written in a scripting language. Lim is directed to a help system, an online context sensitive help. Lim discloses the above shortcoming of Beezer. Lim discloses an example of a JavaScript code for implementing the help feature (column 14, lines 24-32). Beezer and Lim are analogous art because they are from the same field of endeavor that is the help systems. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to substitute the Java Script code of Lim for the program modules of Beezer because Lim teaches that such scripting language is advantageous for local client side processing (e.g., button actions, updating time stamp, setting cookies) (column 4, lines 25-30).

Therefore, it would have been obvious to combine Beezer with Lim to obtain the invention as specified in claims 3, 16 and 29.

With regard to claims 5, 6, 18, 19, 31 and 32:

While Beezer discloses storing the help and settings control document (column 8, lines 14-22), but Beezer fails to disclose storing help and settings control document (the help document) in a tagged meta language representation such as HTML. Lim



also discloses storing a help document in a tagged language representation such as HTML (see Lim, column 4, lines 25-30, column 14, lines 24-32). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate the tagged meta language representation such as HTML of Lim with the help and settings control document of Beezer because HTML tag encoding to the help document will create html page linkage, which may present more help resource information (column 14, lines 3-14).

Therefore, it would have been obvious to combine Beezer with Lim to obtain the invention as specified in claims 5, 6, 18, 19, 31 and 32.

With regard to claims 8, 21 and 34:

Furthermore, while Beezer discloses a pointer, e.g., numerical value corresponding to the context a user navigates to (column 6, lines 64-column 7, lines 9), but Beezer fails to disclose the help history file to include a cookie. Lim also discloses a help document to include a cookie (see Lim, column 13, lines 18-26). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to substitute the cookie of Lim for the pointer of Beezer because the help document will be able to identify the user and matches user's activity when a user logs for the second time (column 13, lines 3-26).

Therefore, it would have been obvious to combine Beezer with Lim to obtain the invention as specified in claims 8, 21 and 34.

With regard to claims 7, 20 and 33:

While Beezer in view Lim discloses a tagged meta language representation using hypertext markup language (HTML), but a tagged meta language representation in XML is not shown. It would have been obvious to use a tagged meta language representation using XML in Beezer in view of Lim since the examiner takes Official Notice of the equivalence of XML and HTML for their use in tagging meta language art. To substitute XML in Beezer in view Lim for the disclosed HTML would have been an obvious functional equivalent.

Therefore, it would have been obvious to combine Beezer with Lim to obtain the invention as specified in claims 7, 20 and 33.

### **Conclusion**

6. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Tadesse Hailu, whose telephone number is (703) 306-2799. The Examiner can normally be reached on M-F from 10:00 - 8:30 ET. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, John Cabeca, can be reached at (703) 308-3116 Art Unit 2173 CPK 2-4A51.

7. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Tadesse Hailu  
April 5, 2004

